F I S C A L   I M P A C T   R E P O R T

SPONSOR	Bandy	**ORIGINAL DATE** **LAST UPDATED** 01/28/15	**HB**	106
SHORT TITLE	Concealed Carry Fingerprints & Refreshers		**SB**	
		ANALYST	Cerny	

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY15	**FY16**	**FY17**	**3 Year Total Cost**	**Recurring or Nonrecurring**	**Fund Affected**
Total		NFI	NFI			

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates SB 118

SOURCES OF INFORMATION
LFC Files

Responses Received From
Administrative Office of the District Attorneys (AODA)
Office of the Attorney General (AGO)
Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

House Bill 106 proposes to amend Section 29-19-6 NMSA 1978 addressing renewal of concealed handgun licenses.

HB 106 would:

- eliminate the two-hour refresher course currently required within two years of issuance of the original or renewed license;
- extend the period of renewal from 60 days to 90 days from the expiration date of the original concealed handgun license;
- eliminate the requirement that upon renewal the licensee submit a new set of fingerprints to conduct the records check;
- require only an "updated criminal records check" rather than the "national criminal records check" that is currently required under the statute.

FISCAL IMPLICATIONS

HB 106 carries no appropriation and has no fiscal impact.

SIGNIFICANT ISSUES

HB 106 is generally less restrictive than the current statute it seeks to amend.

HB 106 removes the requirement for the two-hour refresher course with license renewal. This requirement was included as part of the Concealed Handgun Carry Act to address concerns voiced about licensees being authorized to carry multiple caliber handguns. The concern was that it was important to assure that licensees remain proficient in the proper use, handling and safety skills, and that such skill would be more difficult to maintain when using multiple weapons. The refresher course may act as an incentive to ensure regular practice.

According to DPS analysis, lowering the level of requirements for the license could affect reciprocity with other states. Reciprocity is based on the requirements being the same as or exceeding the requirements of the reciprocating state. Changing the requirements could result in losing reciprocity with certain states should they determine New Mexico's requirements no longer meet their standards. If New Mexico's requirements are changed, the Department of Public Safety will be required to provide a copy of the new statutes to each state with which a current reciprocity agreement is maintained and request a review of the requirements relative to the current agreement.

ADMINISTRATIVE IMPLICATIONS

There will be a short-term minimal impact on the DPS in the review and possible re-negotiation of the reciprocity agreements.

TECHNICAL ISSUES

In addition to deleting "Refresher Firearms Training Course" from the title of Section 29-19-6, NMSA, HB 106 would also add "Lost or Stolen License" to the title. That presumably is meant to emphasize the provisions of subsection E. which discuss how to obtain a duplicate license after a concealed handgun license is lost or stolen. However, the same subsection also discusses obtaining a duplicate license if a license is destroyed and there is no mention of destroyed in the title.

AMENDMENTS

The proposed change in language in Section 1F of the bill relating to background checks from the existing "conduct a national" to "update the" is unnecessary and should be eliminated. The proposed language is not consistent with the language used in criminal law.

CAC/bb